

Panaji, 23rd October, 2015 (Kartika 1, 1937)

SERIES I No. 30

# OFFICIAL GAZETTE GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

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**GOVERNMENT OF GOA**

Department of Finance  
Revenue & Control Division

**Office Memorandum**

12/3/82-Fin(R&amp;C)/Vol.I

A copy of the under mentioned Office Memorandum received from the Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Pension & Pensioners Welfare, New Delhi is forwarded herewith for being published in the Official Gazette.

*Ajit S. Pawaskar, Under Secretary, Finance (R&C).*

Porvorim, 15th October, 2015.

**GOVERNMENT OF INDIA**

Ministry of Personnel, Public Grievances &  
Pensions

**Department of Pension & Pensioner's  
Welfare**

*3rd Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi - 110003.  
Date: 28th September, 2015.*

**Office Memorandum**

F. No. 42/10/2014-P&amp;PW(G)

*Subject: Grant of Dearness Relief to Central  
Government pensioners/family  
pensioners – Revised rate effective  
from 1-7-2015.*

The undersigned is directed to refer to this Department's O. M. No. 42/10/2014-P&PW (G) dated 27th April, 2015 on the subject mentioned above and to state that the President is pleased to decide that the Dearness Relief (DR) payable to Central Government pensioners/family pensioners shall be enhanced from the existing rate of 113% to 119% w.e.f. 1st July, 2015.

2. These orders apply to (i) All Civilian Central Government Pensioners/Family Pensioners (ii) The Armed Forces Pensioners, Civilian Pensioners paid out of the Defence Service Estimates, (iii) All India Service Pensioners (iv) Railway Pensioners and (v) the Burma Civilian pensioners/family pensioners and pensioners/families of displaced Government pensioners from Pakistan, who are Indian Nationals but receiving pension on behalf of Government of Pakistan and are in receipt of ad-hoc ex-gratia allowance of Rs. 3500/- p.m. in terms of this Department's O. M. No. 23/1/97-P&PW(B) dated 23-2-1998 read with this Department's O. M. No. 23/3/2008-P&PW(B) dated 15-9-2008.

3. Central Government Employees who had drawn lump sum amount on absorption in a PSU/Autonomous body and have become eligible to restoration of 1/3rd commuted portion of pension as well as revision of the restored amount in terms of this Department's O. M. No. 4/59/97-P&PW (D) dated 14-07-1998 will also be entitled to the payment of DR @ 119% w.e.f. 1-7-2015 on full pension i.e. the revised pension which the absorbed employee would have received on the date of restoration had he not drawn lump sum payment on absorption and Dearness Pension subject to fulfillment of the conditions laid down in para 5 of the O. M. dated 14-07-98. In this connection, instructions contained in this Department's O. M. No. 4/29/99-P&PW (D) dated 12-7-2000 refer.

4. Payment of DR involving a fraction of a rupee shall be rounded off to the next higher rupee.

5. Other provisions governing grant of DR in respect of employed family pensioners and re-employed Central Government Pensioners will be regulated in accordance with the provisions contained in this Department's O.M. No. 45/73/97-P&PW(G) dated 2-7-1999 as amended vide this Department's O. M. No. F. No. 38/88/2008-P&PW(G) dated 9th July, 2009. The provisions relating to regulation of DR where a pensioner is in receipt of more than one pension, will remain unchanged.

6. In the case of retired Judges of the Supreme Court and High Courts, necessary orders will be issued by the Department of Justice separately.

7. It will be the responsibility of the pension disbursing authorities, including the nationalized banks, etc. to calculate the quantum of DR payable in each individual case.

8. The offices of Accountant General and authorised Pension Disbursing Banks are requested to arrange payment of relief to pensioners etc. on the basis of these instructions without waiting for any further instructions from the Comptroller and Auditor General of India and the Reserve Bank of India in view of letter No. 528-TA, II/34-80-II dated 23-04-1981 of the Comptroller and Auditor General of India addressed to all Accountant Generals and Reserve Bank of India Circular No. GANB No. 2958/GA-64 (ii) (CGL)/81 dated the 21st May, 1981 addressed to State Bank of India and its subsidiaries and all Nationalised Banks.

9. In their application to the pensioners/family pensioners belonging to Indian Audit and Accounts Department, these orders issue after consultation with the C&AG.

10. This issues with the concurrence of Ministry of Finance, Department of Expenditure vide their O. M. No. 1/3/2015-E.II(B) dated 23rd September, 2015.

Sd/-  
(Charanjit Taneja)  
Under Secretary to the Government of India

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## Department of Labour

### Notification

24/21/2015-LAB/922

The following draft rules which are proposed to be made so as to further amend the Goa, Daman and Diu Motor Transport Workers Rules, 1966 are hereby pre-published as required by sub-section (1) of section 40 of the Motor Transport Workers Act, 1961 (Central Act 27 of 1961) for the information of persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of sixty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft rules may be forwarded to the Secretary to the Government of Goa, Labour Department, Secretariat, Porvorim Goa, before the expiry of said period of sixty days from the date of publication of this Notification in the Official Gazette, so that they may be taken into consideration at the time of finalization of the proposed rules.

### DRAFT RULES

In exercise of the powers conferred by sub-sections (1) and (2) of section 40 of the Motor Transport Workers Act, 1961 (Central Act 27 of 1961), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Transport Workers Rules, 1966 namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Motor Transport Workers (Amendment) Rules, 2015.

(2) They shall come into force at once.

2 *Amendment of rule 5.*— In rule 5 of the Goa, Daman and Diu Motor Transport Workers Rules, 1966, in sub-rule (3), for the existing Schedule, the following Schedule shall be substituted, namely:—

### “SCHEDULE

Maximum number of Motor Transport Workers to be employed on any day during the year	Fees
(1)	(2)
1 to 5	Rs. 450/-
6 to 10	Rs. 900/-
11 to 50	Rs. 1,800/-
51 to 100	Rs. 2,700/-
101 to 250	Rs. 3,600/-
251 to 500	Rs. 6,750/-
501 to 750	Rs. 9,000/-
751 to 1000	Rs. 13,500/-
1001 and above	Rs. 18,000/-"

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).

Porvorim, 15th October, 2015.

## Department of Law &amp; Judiciary

Legal Affairs Division

**Notification**

10/2/2015-LA

The Delhi Special Police Establishment (Amendment) Act, 2014 (Central Act No. 28 of 2014), which has been passed by Parliament and assented to by the President on 29-11-2014 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 29-11-2014, is hereby published for the general information of the public.

*Julio Barbosa Noronha*, Under Secretary (Law).

Porvorim, 24th July, 2015.

**THE DELHI SPECIAL POLICE  
ESTABLISHMENT (AMENDMENT)  
ACT, 2014**

AN

ACT

*further to amend the Delhi Special Police Establishment Act, 1946.*

Be it enacted by Parliament in the Sixty-fifth year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Delhi Special Police Establishment (Amendment) Act, 2014.

2. *Amendment of section 4A.*— In the Delhi Special Police Establishment Act, 1946, in section 4A,—      25 of 1946.

(a) in sub-section (1), for clause (b), the following clause shall be substituted, namely:—

“(b) the Leader of Opposition recognized as such in the House of the People or where

there is no such Leader of Opposition, then, the Leader of the single largest Opposition Party in that House—Member;”;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(2) No appointment of a Director shall be invalid merely by reason of any vacancy or absence of a Member in the Committee.”.

**Notification**

10/2/2015-LA

The Negotiable Instruments (Amendment) Ordinance, 2015 (Ordinance No. 6 of 2015), which has been promulgated by the President in the Sixty-sixth Year of the Republic of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 15-06-2015, is hereby published for the general information of the public.

*Julio B. Noronha*, Under Secretary (Law).

Porvorim, 5th August, 2015.

**MINISTRY OF LAW AND JUSTICE**

(Legislative Department)

*New Delhi, the 15th June, 2015/Jyaistha 25,  
1937 (Saka)*

**THE NEGOTIABLE INSTRUMENTS  
(AMENDMENT) ORDINANCE, 2015**

No. 6 of 2015

*Promulgated by the President in the Sixty-sixth  
Year of the Republic of India.*

An Ordinance further to amend the Negotiable Instruments Act, 1881.

Whereas the Negotiable Instruments (Amendment) Bill, 2015 has been passed by the House of the People and is pending in the Council of States;

And whereas, Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

**1. Short title and commencement.**— (1) This Ordinance may be called the Negotiable Instruments (Amendment) Ordinance, 2015.

(2) It shall come into force at once.

**2. Amendment of section 6.**— In the Negotiable Instruments Act, 1881 26 of 1881. (hereinafter referred to as the principal Act), in section 6,—

(i) in *Explanation I*, for clause (a), the following clause shall be substituted, namely:—

'(a) "a cheque in the electronic form" means a cheque drawn in electronic form by using any computer resource and signed in a secure system with digital signature (with or without biometrics signature) and asymmetric crypto system or with electronic signature, as the case may be,';

(ii) after *Explanation II*, the following *Explanation* shall be inserted, namely:—

**"Explanation III."**— For the purposes of this section, the expressions "asymmetric crypto system", "computer resource", "digital signature", "electronic form" and "electronic signature" shall have the same meanings respectively assigned to them in the Information Technology Act, 2000.'.

21 of 2000.

**3. Amendment of section 142.**— In the principal Act, section 142 shall be numbered as sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:—

"(2) The offence under section 138 shall be inquired into and tried only by a court within whose local jurisdiction,—

(a) if the cheque is delivered for collection through an account, the branch of the bank where the payee or holder in due course, as the case may be, maintains the account, is situated; or

(b) if the cheque is presented for payment by the payee or holder in due course otherwise through an account, the branch of the drawee bank where the drawer maintains the account, is situated.

**Explanation.**— For the purposes of clause (a), where a cheque is delivered for collection at any branch of the bank of the payee or holder in due course, then, the cheque shall be deemed to have been delivered to the branch of the bank in which the payee or holder in due course, as the case may be, maintains the account.”.

**4. Validation for transfer of pending cases.**— In the principal Act, after section 142, the following section shall be inserted, namely:—

**"142A. (1)** Notwithstanding anything contained in the Code of Criminal Procedure, 1973 or any judgment, decree, order or directions of any court, all cases arising out of section 138 which were pending in any court, whether filed before it, or transferred to it, before the commencement of the Negotiable Instruments (Amendment) Ordinance, 2015 shall be transferred to the court having jurisdiction under sub-section (2) of section 142 as if that sub-section had been in force at all material times.

(2) Notwithstanding anything contained in sub-section (2) of section 142 or sub-section (1), where the payee or the holder in due course, as the case may be, has filed a

complaint against the drawer of a cheque in the court having jurisdiction under sub-section (2) of section 142 or the case has been transferred to that court under sub-section (1), and such complaint is pending in that court, all subsequent complaints arising out of section 138 against the same drawer shall be filed before the same court irrespective of whether those cheques were delivered for collection or presented for payment within the territorial jurisdiction of that court.

(3) If, on the date of the commencement of the Negotiable Instruments (Amendment) Ordinance, 2015, more than one prosecution filed by the same payee or holder in due course, as the case may be, against the same drawer of cheques is pending before different courts, upon the said fact having been brought to the notice of the court, such court shall transfer the case to the court having jurisdiction under sub-section (2) of section 142 before which the first case was filed and is pending, as if that sub-section had been in force at all material times.”.

PRANAB MUKHERJEE,  
President.

Dr. MUKULITA VIJAYAWARGIYA,  
Additional Secretary to the  
Government of India.

#### **Notification**

10/2/2015-LA

The Central Universities (Amendment) Act, 2014 (Central Act No. 35 of 2014), which has been passed by Parliament and assented to by the President on 17-12-2014 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 18-12-2014, is hereby published for the general information of the public.

*Julio Barbosa Noronha*, Under Secretary (Law).

Porvorim, 24th July, 2015.

#### **THE CENTRAL UNIVERSITIES (AMENDMENT) ACT, 2014**

AN

ACT

*further to amend the Central Universities Act, 2009.*

Be it enacted by parliament in the Sixty-fifth Year of the Republic of India as follows:—

**1. Short title and commencement.**— (1) This Act may be called the Central Universities (Amendment) Act, 2014.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

**2. Insertion of new section 3B.—**

After section 3A of the Central Universities Act, 2009 (hereinafter 25 of 2009. referred to as the principal Act), the following section shall be inserted, namely:—

**“3B. Special provision with respect to State of Bihar.**— (1) The Central University of Bihar established under sub-section (4) of section 3 shall be known as the Central University of South Bihar, having its territorial jurisdiction extending to the territory in the South of River Ganges in the State of Bihar, as specified in the First Schedule to this Act.

(2) There shall be established a University, which shall be a body corporate, to be known as the Mahatma Gandhi Central University, having its territorial jurisdiction extending to the territory in the north of the River Ganges in the State of Bihar, as specified in the First Schedule to this Act.”.

**3. Amendment of First Schedule.**— In the First Schedule to the principal Act, for serial number 1 and the entries relating thereto, the following serial numbers and entries shall be substituted, namely:—

Serial No.	Name of the State	Name of the University	Territorial Jurisdiction
1.	Bihar	Central University of South Bihar	Territory in the South of the River Ganges in the State of Bihar
1A.	Bihar	Mahatma Gandhi Central University	Territory in the North of the River Ganges in the State of Bihar

**Notification**

10/2/2015-LA

The Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Act, 2014 (Central Act No. 36 of 2014), which has been passed by Parliament and assented to by the President on 17-12-2014 and published in the Gazette of India, Extraordinary, Part III, Section 1, dated 18-12-2014, is hereby published for the general information of the public.

*Julio Barbosa Noronha, Under Secretary (Law).*

Porvorim, 24th July, 2015.

**THE TEXTILE UNDERTAKINGS  
(NATIONALISATION) LAWS  
(AMENDMENT AND VALIDATION)  
ACT, 2014**

AN

ACT

*further to amend the Sick Textile Undertakings (Nationalisation) Act, 1974 and the Textile Undertakings (Nationalisation) Act, 1995, in order to continue with the lease-hold rights vested in the National Textile Corporation on completion of the lease-hold tenure.*

Whereas the National Textile Corporation subserves the interests of the general public

and the land continue to be in possession of the said Corporation;

And whereas various other textile undertakings have been nationalised from time to time and their assets vested absolutely in the Central Government and thereafter transferred to the National Textile Corporation Limited by the Central Government free from all encumbrances;

And whereas after the nationalisation of the textile undertakings, a large sum of money have been invested with a view to making the said textile undertakings viable;

And whereas the Central Government has taken initiative to revive certain sick undertakings including the National Textile Corporation under a revival scheme sanctioned by the Board for Industrial and Financial Reconstruction under the Sick Industrial Companies (Special Provisions) Act, 1985;

1 of 1986.

And whereas it is necessary for the proper and effective implementation of the revival scheme and to protect the public investment in the acquired textile undertakings and to explicitly clarify the status of such vesting of the lease-hold rights in the Central Government.

Be it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

**CHAPTER I****Preliminary**

1. *Short title and commencement.*— (1) This Act may be called the Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Act, 2014.

(2) It shall be deemed to have come into force with effect from the 24th October, 2014.

## CHAPTER II

**Amendments to the Sick Textile  
Undertakings (Nationalisation)  
Act, 1974**

**2. Amendment of section 3.**— On and from the date of commencement of the Sick Textile Undertakings (Nationalisation) Act, 1974 (hereafter <sup>57</sup> of 1974. in this Chapter referred to as the principal Act), in section 3, after sub-section (2), the following sub-sections shall be inserted and shall be deemed to have been inserted, namely:—

“(3) Notwithstanding the transfer and vesting of any sick textile undertaking to the National Textile Corporation by virtue of sub-section (2), the lease-hold rights of the sick textile undertakings shall continue to remain vested in the Central Government on payment of lease-hold rents and shall be discharged, for and on behalf of that Government, by the National Textile Corporation as and when payment of such lease-hold rents or any amount becomes due and payable.

(4) Subject to sub-section (3), no court shall have jurisdiction to order divestment from the National Textile Corporation of the property vested in it by the Central Government.”.

**3. Amendment of section 4.**— On and from the date of commencement of the principal Act, in section 4, after sub-section (7), the following sub-sections shall be inserted and shall be deemed to have been inserted, namely:—

“(8) Notwithstanding the fact that the textile operations have been discontinued in any sick textile undertaking being revived, shall for all effects and purposes be deemed that the textile operations are being continued and no suit or proceeding shall be instituted or if instituted be maintainable against the National Textile Corporation on

the ground that it has discontinued such activity in the sick textile undertaking.

(9) For the removal of doubts, it is hereby declared that the continued deemed vesting of the lease-hold land in the Central Government shall not affect, impair or in any manner prejudice the rights of the National Textile Corporation to prosecute or defend any proceedings as a subsequent vestee in respect of any such lease-hold rights and no such proceedings shall fail only on account of the non-implement of that Government.”.

**4. Insertion of new section 41.**— After section 40 of the principal Act, the following section shall be inserted, namely:—

**“41. Validation.**— Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority,—

(a) the provisions of this Act, as amended by the Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Act, 2014, shall have and shall be deemed always to have effect for all purposes as if the provisions of this Act, as amended by the said Act, had been in force at all material times;

(b) any lease-hold property divested from the National Textile Corporation to any person under the provisions of this Act, as it stood immediately before the commencement of the Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Act, 2014, shall stand transferred to and vest or continue to vest, free from all encumbrances, in the National Textile Corporation in the same manner as it was vested in the National Textile Corporation before such divesting of that property under the provisions of this Act, as if the provisions of this Act as amended by the aforesaid Act, were in force at all material times;

(c) no suit or other proceedings shall, without prejudice to the generality of the foregoing provisions, be maintained or continued in any court or tribunal or authority for the enforcement of any decree or order or direction given by such court or tribunal or authority, notwithstanding any undertaking filed by the National Textile Corporation in any court or tribunal or authority, directing divestment of such lease-hold property from the National Textile Corporation vested in it under section 3 of this Act, as it stood before the commencement of the Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Act, 2014, and such lease-hold property shall continue to vest in the National Textile Corporation under section 3 of this Act, as amended by the aforesaid Act, as if the said section was in force at all material times;

(d) any transfer of any property, vested in the National Textile Corporation, by virtue of any order of attachment, seizure or sale in execution of a decree of a civil court or orders of any tribunal or other authority in respect of lease-hold property vested in the National Textile Corporation which is contrary to the provisions of this Act, as amended by the Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Act, 2014, shall be deemed to be null and void and not with standing such transfer, continue to vest in the National Textile Corporation under this Act.”.

### CHAPTER III

#### Amendments to the Sick Textile Undertakings (Nationalisation) Act, 1995

**5. Amendment of section 3.—** On and from the date of commencement of the Textile Undertakings (Nationalisation) Act, 1995 (hereafter referred to as the principal Act), in section 3, after

sub-section (2), the following sub-sections shall be inserted and shall be deemed to have been inserted, namely:—

“(3) Notwithstanding the transfer and vesting of any textile undertaking to the National Textile Corporation by virtue of sub-section (2), the lease-hold rights of the textile undertakings shall continue to remain vested in the Central Government on payment of lease-hold rents and shall be discharged, for and on behalf of that Government, by the National Textile Corporation as and when payment of such lease-hold rents or any amount becomes due and payable.

(4) Subject to sub-section (3), no court shall have jurisdiction to order divestment from the National Textile Corporation of the property vested in it by the Central Government.”.

**6. Amendment of section 4.—** On and from the date of commencement of the principal Act, in section 4, after sub-section (7), the following sub-sections shall be inserted and shall be deemed to have been inserted, namely:—

“(8) Notwithstanding the fact that the textile operations have been discontinued in any textile undertaking being revived, shall for all effects and purposes be deemed that the textile operations are being continued and no suit or proceeding shall be instituted or if instituted be maintainable against the National Textile Corporation on the ground that it has discontinued such activity in the textile undertaking.

(9) For the removal of doubts, it is hereby declared that the continued deemed vesting of the lease-hold land in the Central Government shall not affect, impair or in any manner prejudice the rights of the National Textile Corporation to prosecute or defend any proceedings as a subsequent vestee in respect of any such lease-hold rights and no such proceedings shall fail only on

account of the non-impleadment of that Government.”.

*7. Insertion of new section 39.*— After section 38 of the principal Act, the following section shall be inserted, namely:—

“39. *Validation.*— Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority,—

(a) the provisions of this Act, as amended by the Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Act, 2014, shall have and shall be deemed always to have effect for all purposes as if the provisions of this Act, as amended by the said Act, had been in force at all material times;

(b) any lease-hold property divested from the National Textile Corporation to any person under the provisions of this Act, as it stood immediately before the commencement of the Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Act, 2014, shall stand transferred to and vest or continue to vest, free from all encumbrances, in the National Textile Corporation in the same manner as it was vested in the National Textile Corporation before such divesting of that property under the provisions of this Act as if the provisions of this Act, as amended by the aforesaid Act, were in force at all material times;

(c) no suit or other proceedings shall, without prejudice to the generality of the foregoing provisions, be maintained or continued in any court or tribunal or authority for the enforcement of any decree or order or direction given by such court or tribunal or authority, notwithstanding any undertaking filed by the National Textile Corporation in any court or tribunal or authority, directing divestment of such lease-hold property from the National Textile Corporation vested in it under section 3 of this Act, as it stood before the commencement of the Textile Undertakings (Nationalisation)

Laws (Amendment and Validation) Act, 2014, and such lease-hold property shall continue to vest in the National Textile Corporation under section 3 of this Act, as amended by the aforesaid Act, as if the said section was in force at all material times;

(d) any transfer of any property, vested in the National Textile Corporation, by virtue of any order of attachment, seizure or sale in execution of a decree of a civil court or orders of any tribunal or other authority in respect of lease-hold property vested in the National Textile Corporation which is contrary to the provisions of this Act, as amended by the Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Act, 2014, shall be deemed to be null and void and notwithstanding such transfer, continue to vest in the National Textile Corporation under this Act.”.

*8. Repeal and saving.*— (1) The Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Ordinance, 2014 is hereby repealed.

Ord. 6 of  
2014.

(2) Notwithstanding the repeal of the Textile Undertakings (Nationalisation) Laws (Amendment and Validation) Ordinance, 2014 anything done or any action taken under the principal Acts as amended by the said Ordinance shall be deemed to have been done or taken under the principal Acts, as amended by this Act.

Ord. 6 of  
2014.



Department of Industries

#### Notification

3/40/2003-IND (Pt. II)

*Sub: Goa State 25% Subsidy for Self Employed Scheme, 2015.*

The Government of Goa is pleased to introduce the "Goa State 25% Subsidy for Self Employed Scheme, 2015" to boost self-employment in the State and also to encourage beneficiaries under the self-employed schemes to repay their loan regularly.

**1. Short title and commencement.**— (1) This scheme shall be called as the "Goa State 25% Subsidy for Self Employed Scheme, 2015".

(2) It shall deem to have come in force from 1st September, 2014 and shall remain in force upto 31st March, 2017.

**2. Introduction.**— The Government of Goa is pleased to introduce the scheme namely Goa State 25% Subsidy for Self Employed Scheme, 2014. The scheme is devised to encourage entrepreneurs who have availed financial assistance for the purpose of self-employment under the Chief Minister's Rozgar Yojana (CMRY) and Dr. Verghese Kurien Rojgar Yojana (VKRY) Schemes implemented by Economic Development Corporation (EDC), under other Government schemes or from Nationalized Banks, Scheduled Commercial Banks, Co-operative Banks and registered Credit Societies, to repay the loan regularly. The scheme provides for payment of 25% subsidy on fixed capital investment for all activities related to Industrial and other self-employment opportunities except those activities which are covered under the Red Category and related to tobacco and liquor.

**3. Objective.**— The main objective of this scheme is to give a boost to self-employment in the State. Further, the scheme aims at subsidizing Capital Investment to encourage creation of fixed assets for gainful self-employment.

**4. Eligibility.**— (a) Individuals or Partnership Firms or Groups of individuals can avail this scheme. Individuals who are born and residents for 15 years in Goa shall be given preference under this scheme, though the scheme does not bar others, who are residents of the State of Goa for at least 15 years prior

to the application under this scheme and have passed graduation or XII or X or schooling from the State of Goa. In case of groups of individuals, all persons in the group should satisfy the above criteria. Self Help Groups (SHGs) of women and disabled persons shall be given priority.

(b) Applicant shall normally be below 42 years of age to be eligible under this scheme. In case of group (except in case of registered Self Help Group), all the individuals shall normally be below 42 years of age. However, in case of women, disabled person, Scheduled Caste/Scheduled Tribes and other backward Class person, the age limit shall be relaxable by 5 years. Also, those applicants eligible for age relaxation under CMRY/VKRY shall be considered under this scheme automatically and no separate order or relaxation is required.

(c) Applicants shall be minimum VIIth passed. However, this requirement may be relaxed in deserving cases by a specific order of Director of Industries, Trade & Commerce. Also, those granted relaxation under CMRY/VKRY Scheme, shall be considered under this scheme automatically and no special order of relaxation is required.

(d) The income of the applicant along with spouse shall not exceed Rs. 3,00,000/- per annum.

(e) Priority will be given to women entrepreneurs to the extent of 30% of budgeted outlay on the scheme in case applications exceed total budgetary provision.

(f) All the beneficiaries under CMRY/VKRY Scheme are automatically covered under this scheme and no separate order to that effect will be required. Approval of proposals by the Task Force Committee (TFC) constituted by the Government is adequate.

(g) Also, the existing beneficiaries under the Revised and Modified Chief Minister's Rozgar Yojana (CMRY) having their account without any over dues, as on 30-09-2015 or from the

month following which the account is regularized shall be eligible. The last date for regularizing the overdue loan account for said beneficiaries shall be 31-03-2016. The subsidy shall be available only on the non-overdue outstanding amount of the disbursed assistance, subject to fulfilling terms and conditions.

(h) Any Individual or Partnership Firm or Group of individuals or SHGs who has already availed loans under other Government schemes are also eligible.

(i) In case, if any difficulties arise in implementation of this scheme, particularly in case of women Self Help Group/disabled persons/SCs/STs/OBCs, the scheme may be modified by the Government.

**5. Exception.**— (a) Applicants under VKRY Scheme for acquisition of Yellow/Black-Motorcycles, Yellow/Black-Auto Rickshaws, Yellow/Black-Taxis, Tourist Taxis and Buses, shall not be eligible for the Subsidy Scheme.

(b) The existing beneficiaries of the CMRY Scheme who have been financed for acquisition of Yellow/Black-Motorcycles, Yellow/Black-Auto Rickshaws, Yellow/Black-Taxis and Tourist Taxis, shall not be eligible for the Subsidy Scheme.

(c) Beneficiaries under any other subsidy linked schemes of the Government, wherein subsidy of approximately 25% or more is given by the concerned department, shall not be eligible for this subsidy.

(d) Beneficiaries of other subsidy linked schemes of the Government, wherein the subsidy availed/eligible is less than 25%, then the beneficiaries may be granted subsidy under this scheme. However, the subsidy availed by the beneficiary shall be deducted from this subsidy, on pro-rata basis.

(e) Activities covered under the Red Category and those dealing in alcohol and tobacco shall not be eligible.

**6. Scope for payment of subsidy.**— (a) In case of beneficiaries of the Modified Chief Minister's Rojgar Yojana (sanctions w.e.f. 1-4-2012) and Dr. Verghese Kurien Rojgar Yojana (VKRY), as well as beneficiaries of other Government Schemes and any Individuals or Partnership Firms or Groups of individuals or SHGs who have availed loans from Nationalized Banks, Scheduled Commercial Banks, Co-operative Banks and registered Credit Societies, the subsidy shall be applicable only on the fixed capital investment which shall include premises, plant and machinery, furniture and fixtures, office equipment, electrification, alternate power sources, etc.

Working capital investment including raw materials, stock of goods for sale, consumables, etc. shall not be considered for payment of subsidy.

(b) In case of beneficiaries of the Revised Chief Minister's Rojgar Yojana (sanctions between 16-08-2003 to 31-03-2012) subsidy shall be applicable on the entire non-overdue outstanding of the disbursed assistance as the maximum exposure under the scheme during the said period was restricted to a maximum of Rs. 6.00 lakh and part of the disbursed amount has already been repaid by the beneficiaries.

**7. Quantum & mode of payment of subsidy.**— (a) In case of Dr. Verghese Kurien Rojgar Yojana Scheme, an amount equal to 20% of the Equated Monthly Installments (EMIs), (which corresponds to approximately 25% of the principal component of the EMIs), financed for capital investment and paid within the due date on the total disbursed assistance, shall be credited to the principal account, on the date of payment, subject to fulfilling terms and conditions for availing the subsidy. However, subsidy shall not be paid on the defaulted EMIs. Subsidy can be resumed on payment of defaulted EMIs but only on the balance amount or for fresh EMI.

Further, in case the beneficiary pre-closes the loan account, prior to completion of one

year of 1st disbursement of loan, then the subsidy amount paid to the beneficiary during the said period shall be reversed and debited to the loan account.

(b) In case of Revised CMRY Scheme, an amount equal to 20% the EMIs (which corresponds to approximately 25% of the principal component of the EMIs), paid within the due date, on the non-overdue outstanding EMIs of the disbursed assistance, from the month following which the account is regularized subject to fulfilling terms and conditions for availing subsidy. The said subsidy amount shall be credited to the principal account on the date of payment. However, subsidy shall not be paid on the defaulted EMIs. Subsidy can be resumed on payment of defaulted EMIs, but shall be applicable only for the balance amount or for fresh EMI.

(c) The scheme does not debar individual/group of individuals from availing additional loan from Economic Development Corporation or Banks but the same shall be separately applied or and approved by Economic Development Corporation or Banks concerned. The subsidy shall also be applicable to capital investment made by way of additional loan.

8. *Penal Interest.*— (a) 2% p.a. on the defaulted amount of more than one EMI, for the defaulted period, of disbursed EDC Term Loan, shall be charged.

(b) 8% p.a. on the defaulted amount of more than one EMI, for the defaulted period, of the disbursed Share Capital Assistance under the Share Capital Assistance to Self Employment Scheme of Directorate of Industries, Trade & Commerce, Government of Goa, shall be charged.

9. *General Terms & Conditions.*— (a) In case of misrepresentation/miscalculation, the amount of such subsidy released shall be repayable, forthwith, by the borrower and the

same shall be recovered as arrears of land revenue.

(b) In case of any grievances arising out of the claims of beneficiaries concerning the Subsidy Scheme, the same shall be referred to the Task Force Committee appointed by the Government under the CMRY/VKRY Scheme, for a suitable decision.

10. *Procedure to file the application.*— (a) The individual or group of individuals eligible under this scheme shall file their applications in the prescribed proforma available with the Economic Development Corporation, Panaji along with required documents from Competent Authorities for this purpose.

(b) The applications shall be addressed to the Managing Director, shall be submitted in the office of the EDC, EDC House, Panaji-Goa.

(c) Beneficiaries who are availing assistance under CMRY/VKRY Scheme need not apply separately.

11. *Sanctioning and Disbursement procedure.*— For the purpose of implementation of this scheme, the Task Force Committee (TFC), set up under the CMRY/VKRY shall scrutinize the applications received and recommend for the subsidy. TFC under CMRY/VKRY shall be the sanctioning authority for applications under CMRY/VKRY, duly appraised by the Appraisal Committee under the CMRY/VKRY Scheme. The Directorate of Industries, Trade & Commerce shall make necessary budgetary provision for the scheme and place the funds before the EDC on receipt of subsidy claims.

The Budget Head for the scheme is as below:—

#### Demand No. 19

- 2851 — Village and Small Industries;
- 00 —
- 101 — Industrial Estates;
- 02 — Scheme for Industrial/Investment Policy;
- 32 — Subsidies.

**12. Relaxation.**— The Director of Industries, Trade & Commerce may relax any provision of this scheme after taking Government approval, if need arises.

**13. Interpretation.**— If any question arises as to the interpretation of any of the provisions of this scheme or if there is dispute relating to fulfillments of conditions, then the decision of the TFC, thereon shall be final and binding on all.

**14. Power to reject claim.**— In view of the extreme flexibility in financial parameters, granted by the Government of Goa, appraisal and feasibility of the project is very important aspect and application shall be rejected if found not feasible after taking into consideration, training/qualification of the persons involved or for any other reasons including the need of regulating a specific activity for overall economic benefit and decision of the TFC in this respect shall be final.

This has been issued with the concurrence of Finance (Exp.) Department vide U.O. 1417320 dated 20-04-2015.

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Industries).

Porvorim, 14th October, 2015.

#### Notification

3/40/2003-IND (Pt. II)

Whereas vide Notification No. 3/40/2003/IND (Part) dated 31-12-2008, published in the Official Gazette, No. 42 Series I dated 15 January, 2009, the Government of Goa notified the scheme "Share Capital to Local Entrepreneurs and Self Employed Scheme, 2008 (hereafter referred to as the "said scheme").

Now, in supersession of the said scheme, the Government of Goa is pleased to frame the following scheme, namely:—

**1. Short title and commencement.**— (1) This scheme shall be called the Share Capital to Local Entrepreneurs and Self Employed Scheme, 2015.

(2) It shall come in force from the date of its notification and shall remain in force upto 31st March, 2019.

However, the quantum of contribution as proposed under this scheme shall be deemed to have come in force from 1st April, 2012.

**(Explanatory:**— This has been necessitated as the loan limits under the Chief Minister's Rojgar Yojana (CMRY) now renamed as Dr. Verghese Kurien Rojgar Yojana (VKRY) being implemented by EDC Ltd., have been enhanced by the Government w.e.f. 1st April, 2012 to Rs. 20.00 lakhs for professionals and technically qualified persons and Rs. 15.00 lakhs for others. The Share Capital Scheme being a Composite Scheme offered to the CMRY/VKRY beneficiaries, it is necessary to give benefit of enhanced limits to those who have already availed loan from EDC Ltd., under the said scheme).

**2. Introduction.**— For effective implementation of the said policy, the Government of Goa is pleased to introduce the Share Capital to Local Entrepreneurs and Self Employed Scheme, 2015.

The scheme is devised to encourage local youths preferably of Goan origin to start income generating activities by providing Share Capital Contribution for all activities related to Industrial and other self-employment opportunities except those activities which are covered under Red Category under the Industrial Policy and related to tobacco and liquor.

**3. Objectives.**— The main objective of this scheme is to encourage local youths to start income generating activities and to encourage self-employment.

**4. Eligibility.**— (a) Individuals or groups of individuals can avail this facility. Individuals

who are born and residents for 15 years in Goa shall be given preference under this scheme, though the scheme does not bar others, who are residents of the State of Goa for at least 15 years prior to the application under this scheme and have passed graduation or XII or X or schooling from the State of Goa. In case of Groups of individuals, all persons in the group should satisfy the above criteria. Self-Help Groups of women and disabled persons shall be given priority. An age criterion is also not applicable for those persons. This scheme shall also cover those who are covered under Subsidy scheme framed for black and yellow taxi/motorcycle/rickshaw drivers/owners for balance 75% of requirement. The age criteria will not apply for those who are applying for replacement of old taxi/motorcycle/rickshaws.

(b) Applicant shall be below 42 years of age to be eligible under this scheme. In case of group (except in case of registered Self-Help Group), all the individuals shall be below 42 years of age. However, in case of women, disabled person, Scheduled Caste/Scheduled Tribes and Other Backward Class person the age limit shall be relaxable by 5 years. Also, those applicants eligible for age relaxation under Chief Minister's Rojgar Yojana (CMRY)/Dr. Verghese Kurien Rojgar Yojana (VKRY) shall be considered under this scheme automatically and no separate order of relaxation is required.

(c) Applicants shall be minimum VIIth passed. However, this requirement may be relaxed in deserving cases by a specific order of Director of Industries, Trade and Commerce. Also, those granted relaxation under the CMRY/VKRY Scheme, shall be considered under this scheme automatically and no special order of relaxation is required.

(d) The income of the applicant along with spouse shall not exceed Rs. 3,00,000/- per annum.

(e) The beneficiaries under this scheme shall be eligible to avail subsidy under the Goa State 25% Subsidy for Self-employed - 2015, being

implemented by the Directorate of Industries, Trade & Commerce, Government of Goa subject to fulfilling terms and conditions for availing the said subsidy. The benefit under this Scheme shall not be available if the applicant has availed subsidy of more than 25% of the project cost under any other scheme, and/or if any scheme debars him specifically for receiving benefits under this scheme. Beneficiaries of other subsidy linked schemes of the Government where subsidy availed/eligible is less than 25% could be covered under this scheme, however, the subsidy availed shall be deducted from subsidy available under this scheme. Those who can be covered under Kamdhenu Scheme shall not be covered under this scheme except for setting up of dairy/chilling unit.

(f) Priority will be given to women entrepreneurs to the extent of 30% of budgeted outlay on the Scheme in case applicant exceeds total budgetary provision.

(g) All beneficiaries covered under CMRY/VKRY Scheme are automatically covered under this scheme and no separate order to that effect will be required. Certification by Managing Director, Economic Development Corporation to that effect is adequate.

(h) In case, if any difficulties arise in implementation of this scheme, particularly in case of women Self-Help Groups/disabled persons/SCs/STs/OBCs, the scheme may be modified by the Government.

*5. Quantum of capital contribution.— (a)* Contribution under this scheme shall be Rs. 8.00 lakhs. (Rs. 12.00 lakhs in case of SC/ST applicant) per individual subject to the condition that it is 50% (80% in case of SC/ST applicant) of total project cost. However, in case of applicant having professional qualification, degree or diploma in Engineering including qualification like I.T.I., Vocational XII or any other Government recognized Certificate course/training programme, the contribution may be increased upto Rs. 10.00 lakhs (Rs. 16.00 lakhs in case of SC/ST applicant) per

individual, provided the business activity shall be linked/connected to his qualifications in broad sense and subject to the conditions that the contribution does not exceed 50% (80% in case of SC/ST applicant) of the project cost. The scheme does not debar individual/group of individuals from availing additional loan from Economic Development Corporation or Banks but the same shall be separately applied for and approved by Economic Development Corporation or Banks concerned.

(b) In case of group of individuals, the maximum extent of capital contribution shall be Rs. 25.00 lakhs subject to condition that the individual limit per head is not exceeded. There is no restriction on the number of members of the group.

(c) Those trained by the Goa Handicrafts Rural and Small Scale Industries Development Corporation or by the Khadi Village and Industries Board or Training cum Production Centre of Department of Handicrafts, Textile and Coir and have obtained Certificate of successful completion of training, shall be covered under this scheme and will be treated as professionals for the purpose of benefit under this scheme.

(d) Applicants who are eligible for assistance under CMRY/VKRY will be provided capital contribution under this scheme subject to the condition that the contribution under this scheme do not exceed 50% (80% in case of SC/ST applicant) of the project cost. The eligibility criteria for such persons shall be governed by the CMRY/VKRY Scheme.

**6. Security.**— The self-guarantee by the applicant/parents/spouse/parents of spouses along with one guarantor owning a residential accommodation or plot of land or any other property in the State, shall be adequate security for the purpose of availing benefits under this scheme. However, where the assets financed are fixed assets as tangible security and where the capital contribution is below Rs. 1,00,000/- only, personal guarantee by the applicant and additionally by his parents or

spouse or parents of spouse (even though they do not have any fixed assets or property) is adequate. In such cases, first charge of mortgage/hypothecation of fixed or current assets will be held by Director of Industries, Trade and Commerce/Economic Development Corporation or as decided by the Government. Further, the security and collateral security clauses as prescribed under CMRY/VKRY Scheme shall be applicable to beneficiaries under the CMRY/VKRY Scheme.

*Explanation:*— Latest House Tax receipt of latest I/XIV Form is adequate proof of property.

**7. Repayment.**— (a) The Capital Contribution given under this scheme should be paid back to the Government in equal monthly installments, within 10 years, with moratorium as may be decided not exceeding period of one year and the first installment shall be due after the date of release of the capital contribution to the beneficiary. However, the Directorate of Industries, Trade and Commerce, reserves the right to reduce the total repayment period up to 5 years depending on the nature of business.

(b) The capital given under this scheme will be interest free. However, for beneficiaries of this scheme under CMRY/VKRY Scheme, panel interest @ 8% p.a. shall be levied for default of more than one EMI to the VKRY beneficiaries and other CMRY beneficiaries opting for Goa State 25% Subsidy for Self Employed Scheme, 2015.

(c) If the beneficiary fails to pay the installments within the stipulated time period, then the amount will be recovered as per laws in force including as arrears of land revenue.

**8. Procedure to file the application.**— (a) The individual or group of individuals eligible under this scheme shall file their applications in the prescribed proforma along with required documents from Competent Authorities for this purpose.

(b) The applications addressed to the Director of Industries, Trade and Commerce

shall be submitted in the office of the Directorate of Industries, Trade and Commerce, Udyog Bhavan, Panaji, Goa.

(c) Beneficiaries who are eligible for assistance under CMRY/VKRY shall apply in combined form available with the Economic Development Corporation Limited. Such beneficiaries shall be exempted from filing in separate form and payment of form fees and application fees provided under this scheme, however, they shall pay the prescribed form fees and application fees as provided under the CMRY/VKRY Scheme.

(d) The applicant shall pay Rs. 200/- (non-refundable) as processing fee and enclose the receipt of the same along with the application (once only).

(e) Cost of application form shall be Rs. 25/-.

(f) *Contribution Corpus*— 0.1% of the Share Capital will be deducted from the 1st disbursement, to be credited to the "Contribution Corpus" being set up by the Government of Goa. The Contribution Corpus shall be governed by the terms and conditions as laid down and also by the "Exit Policy" of the Government. The Contribution Corpus Fund will be managed by the EDC Ltd. on behalf of the Government of Goa.

**9. Sanctioning and disbursement procedure.**— For the purpose of implementation of this scheme, the Task Force Committee (TFC), set up by the Director of Industries, Trade and Commerce (or any authority under the Chief Minister's Rozgar Yojana/Dr. Verghese Kurian Rojgar Yojana) shall scrutinize, the applications received and recommend the same for disbursement. TFC under CMRY shall be the sanctioning authority for applications under CMRY, duly appraised by the Appraisal Committee under the CMRY Scheme. Directorate of Industries, Trade and Commerce will work out suitable modalities in this regard.

(a) The Share Capital Contribution requirements of the Economic Development Corporation Limited (EDC) from Directorate of

Industries, Trade & Commerce may be adjusted with the amount repaid/recovered from the beneficiaries of earlier years and can be reused to finance the new beneficiaries.

(b) The Economic Development Corporation Ltd. (EDC) shall reconcile the outstanding subvention of Government with Director of Industries, Trade & Commerce from the financial year ending 31st March in the month of April of the subsequent year.

(c) The reconciled statements of recovered amounts by EDC as on 31st March shall be submitted by the Director of Industries, Trade & Commerce to the Government for sanction. In case additional funds, if required as 50%/80% of Share Capital Contribution, then it will also require sanction of the Government from the Budget Estimates of the year.

(d) The Funds for Scheduled Caste and Scheduled Tribe applicants shall be met from the respective Budget Heads allotted in the Budget Estimates.

**10. Relaxation.**— The Director of Industries, Trade and Commerce may relax any provision of this scheme after taking Government approval, if need arises.

11. There shall be a Task Force Committee for the purpose of this scheme which shall scrutinize and recommend the benefits under this scheme, consisting of the following members:—

(1) General Manager (DIC) of Directorate of Industries, Trade and Commerce, as a Chairman.

(2) Assistant Director (Admn.) of Directorate of Industries, Trade and Commerce, as a Member.

(3) Under Secretary (Finance/Expenditure), as a Member.

(4) One person to be nominated by the Government from Goa Chamber of Commerce and Industry.

(5) One person to be nominated by the Government from Goa State Industries Association.

The Committee may co-opt additional members from Financial Institutions or Associations, if felt necessary.

12. *Interpretation.*— If any question arises as to the interpretation of any of the provisions of this scheme or if there is dispute relating to fulfillments of conditions, then the decision of the Director of Industries, Trade and Commerce, thereon shall be final and binding on all.

13. *Power to reject claim.*— In view of the extreme flexibility in financial parameters, granted by the Government of Goa, appraisal and feasibility of the project is very important

aspect and application shall be rejected if found not feasible, after taking into consideration, training/qualification of the persons involved or for any other reasons including the need of regulating a specific activity for overall economic benefit and decision of the Director of Industries, Trade and Commerce in this respect shall be final.

This has been issued with the concurrence of Finance (Exp.) Department vide U.O. 1417320 dated 20-04-2015.

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Industries).

Porvorim, 14th October, 2015.

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